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**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
INFORMAL BRIEF FOR HABEAS AND SECTION 2255 CASES**

No. 15-6099,

US v. Lamar Lee

4:12-cr-00105-RBS-LRL-1, 4:14-cv-00148-RBS

1. Jurisdiction

A. Name of court from which you are appealing: *United States District Court for the Eastern District of Virginia Newport News Division*
B. Date(s) of order or orders you are appealing: *MEMORANDUM FINAL ORDER Filed January 7, 2015*
ORDER declining to issue a certificate of appealability Filed January 27, 2015

2. Timeliness of notice of appeal (for prisoners)

Exact date on which notice of appeal was placed in institution's internal mailing system for mailing to District Court: *January 9, 2015*

3. Certificate of Appealability

Did the district court grant a certificate of appealability? Yes No

If Yes, do you want the Court of Appeals to review additional issues that were not certified for review by the district court? Yes No

If Yes, **you must** list below the issues you wish to add to the certificate of appealability issued by the district court. If you do not list additional issues, the Court will limit its review to those issues on which the district court granted the certificate.

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FOURTH CIRCUIT

4. Issues on Appeal

Use the following spaces to set forth the facts and argument in support of the issues you wish the Court of Appeals to consider on appeal. You must include any issue you wish the Court to consider, regardless of whether the district court granted a certificate of appealability as to that issue. You may cite case law, but citations are not required.

Issue 1. Counsel For Petitioner rendered ineffective assistance for failing to challenge Petitioner's career offender status under the modified categorical approach

Supporting Facts and Argument.

(see Attached Memorandum
of Law)

Issue 2.

Supporting Facts and Argument.

Issue 3.

Supporting Facts and Argument.

Issue 4.

Supporting Facts and Argument

5 . Relief Requested**Identify the precise action you want the Court of Appeals to take:***Remand for resentencing without the Career Offender enhancement***6 . Prior appeals (for appellants/petitioners only)**A. Have you filed other cases in this Court? Yes [] No []

B. If you checked YES, what are the case names and docket numbers for those appeals and what was the ultimate disposition of each?



Signature

[Notarization Not Required]



[Please Print Your Name Here]

CERTIFICATE OF SERVICE

I certify that on Feb. 16, 2015 I served a copy of this Informal Brief on all parties, addressed as shown below:

Signature

NO STAPLES, TAPE OR BINDING PLEASE

Lamar Richard Lee # 3171-083
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Legal Mail

Feb 24 2015

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